

Receipt is hereby acknowledged for the following in the U.S. Patent and Trademark Office:  
In re Application of: Yoshimura et al.  
For: HUMAN DERIVED MONOCYTE ATTRACTING PURIFIED PROTEIN PRODUCT USEFUL IN A  
METHOD OF TREATING INFECTION AND NEOPLASM IN A HUMAN BODY, AND THE CLONING  
OF FULL LENGTH cDNA THEREOF  
Docket No.: 11613.12US11  
Filed: March 30, 1989  
Date Mailed: October 21, 1999  
 Transmittal Sheet in duplicate containing Certificate of Mailing  
 Amendment  
 Request for Extension of Time for three (3) months and fee of \$870.00  
 Return postcard  
Serial No.: 07/330,446  
Due Date: October 21, 1999

Patent

DPM:SDS/cmr

CONTROL NO. MG-06493

## Requestor:

Vendor # / Name: 1002 Commissioner of Patents

Check Date: 10/21/99

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Merchant &amp; Gould P.C.

Commissioner of Patents  
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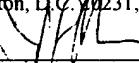
BACK OF DOCUMENT CONTAINS A SECURITY SLOGAN "ORIGINAL DOCUMENT" TO VERIFY AUTHENTICITY.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: YOSHIMURA ET AL. Examiner: D. JACOBSON  
Serial No.: 07/330,446 Group Art Unit: 1653  
Filed: MARCH 30, 1989 Docket: 11613.12USII  
Title: HUMAN DERIVED MONOCYTE ATTRACTING PURIFIED PROTEIN PRODUCT USEFUL  
IN A METHOD OF TREATING INFECTION AND NEOPLASM IN A HUMAN BODY, AND  
THE CLONING OF FULL LENGTH cDNA THEREOF

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described herein, are being deposited in the United States Postal Service, as first class mail, with sufficient postage, in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on October 21, 1999.

By:   
Douglas P. Mueller

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

We are transmitting herewith the attached:

- Transmittal Sheet in duplicate containing Certificate of Mailing
- Amendment
- Request for Extension of Time for three (3) months and fee of \$870.00
- Return postcard

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers, if appropriate. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. A duplicate of this sheet is enclosed.

MERCHANT & GOULD P.C.  
3100 Norwest Center, Minneapolis, MN 55402  
(612) 332-5300

By:   
Name: Douglas P. Mueller  
Reg. No.: 30,300  
DPM:SDS/cmr

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: YOSHIMURA ET AL. Examiner: D. JACOBSON  
Serial No.: 07/330,446 Group Art Unit: 1653  
Filed: MARCH 30, 1989 Docket: 11613.12US11  
Title: HUMAN DERIVED MONOCYTE ATTRACTING PURIFIED PROTEIN PRODUCT USEFUL  
IN A METHOD OF TREATING INFECTION AND NEOPLASM IN A HUMAN BODY, AND  
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By:   
Douglas P. Mueller

Assistant Commissioner for Patents  
Washington, D.C. 20231

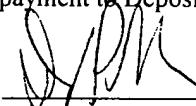
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MERCHANT & GOULD P.C.  
3100 Norwest Center, Minneapolis, MN 55402  
(612) 332-5300

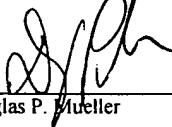
By:   
Name: Douglas P. Mueller  
Reg. No.: 30,300  
DPM:SDS/cmr

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: YOSHIMURA ET AL. Examiner: D. JACOBSON  
Serial No.: 07/330,446 Group Art Unit: 1653  
Filed: MARCH 30, 1989 Docket No.: 11613.12US1  
Title: HUMAN DERIVED MONOCYTE ATTRACTING PURIFIED PROTEIN  
PRODUCT USEFUL IN A METHOD OR TREATING INFECTION AND  
NEOPLASM IN A HUMAN BODY, AND THE CLONING OF FULL  
LENGTH cDNA THEREOF

**CERTIFICATE UNDER 37 CFR 1.8:**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on October 21, 1999.

  
Douglas P. Mueller**PETITION FOR EXTENSION OF TIME**

Assistant Commissioner for Patents  
Washington, D.C. 20231

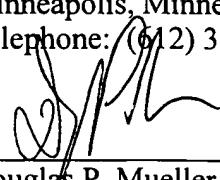
Dear Sir:

In accordance with the provisions of 37 C.F.R. §1.136(a), it is respectfully requested that a three (3)-month extension of time be granted in which to respond to the outstanding Office Action mailed April 21, 1999, said period of response being extended from July 21, 1999 to October 21, 1999.

Our check in the amount of \$870.00 is enclosed to cover the required extension fee for a large entity.

Respectfully submitted,

MERCHANT & GOULD P.C.  
3100 Norwest Center  
90 South Seventh Street  
Minneapolis, Minnesota 55402  
Telephone: (612) 332-5300



October 21, 1999

Date

Douglas P. Mueller  
Reg. No. 30,300  
DPM/cmr

S/N 07/330,446

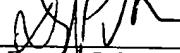
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Yoshimura et al.	Examiner:	D. Jacobson
Serial No.:	07/330,446	Group Art Unit:	1814
Filed:	March 30, 1989	Docket No.:	11613.12US1
Title:	HUMAN DERIVED MONOCYTE ATTRACTING PURIFIED PROTEIN PRODUCT USEFUL IN A METHOD OF TREATING INFECTION AND NEOPLASM IN A HUMAN BODY, AND THE CLONING OF FULL LENGTH cDNA THEREOF		

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By:   
Name: Douglas P. Mueller

AMENDMENT

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

In response to the Office Action of April 21, 1999, please amend this application as follows:

In the Claims

Please cancel claims 5, 9 and 11-19 without prejudice or disclaimer.

Remarks

Favorable reconsideration of this application is requested in view of the above amendments and the following remarks.

Claims 21-25 were rejected under 35 USC 112, first paragraph. This rejection is respectfully traversed. The present specification clearly discusses multiple sources for the present materials. The isolation and purification are well-within the ordinary skill in the art,

particularly in light of the work reported in the specification. Therefore, regardless of whether such isolation in fact had been carried out, the inventors clearly had contemplated the invention as claimed in claims 21-25 and had done sufficient work to be considered in possession of the invention of these claims for purposes of the written description requirement.

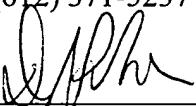
The Examiner's attention is directed to co-pending Application Serial No. 07/686,264, which is a continuation of Serial No. 07/304,234, the parent of the present application.

Please note that the change of address to the address below, provided in the Revocation submitted on June 19, 1997.

Respectfully submitted,

MERCHANT & GOULD P.C.  
3100 Norwest Center  
90 South 7th Street  
Minneapolis, Minnesota 55402  
(612) 371-5237

Dated October 21/1999

By: 

Douglas P. Mueller  
Reg. No. 30,300  
DPM:SDS:jac